

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

V.

OLEKSANDR VOLKODAV.

Defendant

Case No. 2:25-CR-0059-TOR

PROTECTIVE ORDER
REGARDING COMPUTER
FORENSIC REVIEW PROCEDURES
FOR CHILD PORNOGRAPHY
CONTRABAND

The Court has received and reviewed the Stipulated Motion Regarding Computer Forensic Review Procedures For Child Pornography Contraband filed by the parties in the above-captioned matter, and is fully advised.

GOOD CAUSE HAVING BEEN SHOWN, the Court hereby ORDERS that the
Stipulation Regarding Computer Forensic Review Procedures For Child Pornography
Contraband, ECF No. 21, is GRANTED.

1. IT IS FURTHER ORDERED that 18 U.S.C. § 3509(m) applies to this case, and the Court is required to deny defense requests to copy, photograph, duplicate, or otherwise reproduce material constituting child pornography if the Government makes
PROTECTIVE ORDER REGARDING CHILD PORNOGRAPHY FORENSIC REVIEW - 1

1 the material reasonably available to the Defendant and provides an ample opportunity
2 for the defense to examine it at a government facility. *See* 18 U.S.C. § 3509(m).
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4 2. IT IS FURTHER ORDERED that, in order to comply with 18 U.S.C.
5 § 3509(m), and to allow the Defendant the greatest opportunity to prepare an effective
6 defense in preparation for trial in this matter, the Government will make a true forensic
7 copy of images and extractions from devices and media containing alleged child
8 pornography contraband at issue in the above-referenced case. The Government will
9 make that forensic image reasonably available to the Defendant and provide ample
10 opportunity for the defense team to examine it at a government facility in Spokane,
11 Washington. The parties may readdress the Court if there is a need for additional or
12 after-hours access during the course of litigation or additional forensic review.
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14 3. IT IS FURTHER ORDERED that the defense forensic examination will be
15 conducted in an interview room monitored by closed-circuit television (“CC-TV”),
16 without audio feed. While the TV with non-audio feed will ensure the integrity of
17 Homeland Security Investigations space and security of its occupants, the video feed is
18 not of sufficient detail or at an angle that would reveal defense strategy. The
19 Government and its agents expressly agree that no attempt will be made to record any
20 audio from the workstation and that no attempt will be made to observe the defense
21 team’s work product or computer monitor screen at any time. The defense expert may
22 review the feed to ensure that defense strategy is not being compromised at any time
23 while conducting the forensic review.
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26 REVIEW - 2
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1 4. IT IS FURTHER ORDERED that the defense team¹ shall not make, nor
2 permit to be made, any copies of the alleged child pornography contraband pursuant to
3 this Protective Order and shall not remove any contraband images from the government
4 facility. The defense expert will be allowed to copy any file that is not contraband and
5 compile a report (without contraband images/videos) documenting the examination on
6 removable media at the discretion of the defense expert.
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9 5. IT IS FURTHER ORDERED that the defense expert and investigator will
10 leave at the government facility any equipment, including hard drives, which contain
11 child pornography contraband that is identified during forensic evaluation.
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13 6. IT IS FURTHER ORDERED that for the purpose of trial, the Government
14 agrees to make available a digital copy of any government trial exhibit that contains
15 contraband, which will be kept in the custody and control of the case agent. Upon
16 reasonable notice by the defense, the case agent will also maintain for trial digital copies
17 of any proposed defense exhibit that contains contraband. If the defense team intends to
18 offer, publish, or otherwise utilize any government or defense exhibit contained on the
19 digital copy maintained by the case agent during trial, the case agent shall assist the
20 defense team in publishing or utilizing the exhibit that contains contraband upon
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25 1 For purposes of this Protective Order, the term “defense team” refers solely to the
26 Defendant’s counsel of record (“defense counsel”), the Defendant’s designated expert
27 (“defense expert”), and a defense investigator.
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1 notification by the defense team.

2 IT IS SO ORDERED. The Clerk shall enter this Order and furnish copies to
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4 counsel.

5 Dated May 1, 2025.



A handwritten signature in blue ink that reads "Thomas O. Rice".

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8 Thomas O. Rice
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10 United States District Judge
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